

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-20 were pending in the application. In this Amendment, claims 1, 4, 8, 9, 10, 11, 12, 15, 17, 18, and 20 have been amended, claims 13, 14, and 19 have been cancelled without prejudice, and claims 21-23 have been added. Accordingly, claims 1-12, 15-18, and 20-23 will be pending herein upon entry of this Amendment. Support for the amendment to each of the claims and new claims 21-23 can be found, for example, at page 6, paragraph [0030] of the present application. For the reasons stated below, Applicant respectfully submits that all claims pending in this application are in condition for allowance.

In the Office Action mailed February 10, 2005, claims 1-3 and 8-10 were rejected under 35 U.S.C. 101, claims 11-14 and 17-19 were rejected under 35 U.S.C. 112, second paragraph as being indefinite, claims 1, 2, 4-9, and 11-17 were rejected under 35 U.S.C. 102(b) as being anticipated by the article "Friendly reminder: 3M is boosting sales – and promoting clean air – with a retention program for its Filtrete filters," written by Arthur Hughes (hereinafter "Hughes"), and claims 3, 10, and 18-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes. To the extent these rejections might still be applied to claims presently pending in this application, they are respectfully traversed.

Applicant has amended independent claims 1 and 8 to overcome the rejection of 35 U.S.C. 101. For example, in amended claim 1, the filter information is received through a computer network, wherein the filter information includes at least one of a filter system brand, a model number, a filter replacement part number, location of the filter system, and desired

changing cycle; and includes means for computing a filter replacement date at least based on the received filter information, and means for scheduling a service to change the filter on the filter replacement date. The method of amended claim 8 also includes similar features. After these amendments, Applicant believes that claims 1 and 8 are within the technological arts and, in whole, produce a "useful, concrete and tangible result," in compliance with the requirements of 35 U.S.C. 101.

Claims 11-14 and 17-19 have been amended to correct the preamble "system" to "method." The objection to these claims under 35 U.S.C. 112, second paragraph, is thus believed to be overcome.

Regarding the 102 and 103 rejections, Applicant has amended independent claims 1 and 8 to recite features that are neither taught nor suggested by Hughes. For example, amended claim 1 now recites a system comprising means for receiving filter information from a customer through a computer network, wherein the filter information includes at least one of a filter system brand, a model number, a filter replacement part number, location of the filter system, and desired changing cycles; means for computing a filter replacement date at least based on the received filter information; and means for scheduling a service to change a replacement filter on the filter replacement date. The means for scheduling a service is further defined in newly added claims 21 and 22 that includes scheduling a service technician dispatch to change the replacement filter and commanding a fulfillment location to ship the replacement filter to the customer, respectively. These filter information and scheduling features are also included in

amended independent claim 8. Applicant has also amended dependent claims 2, 3, 9-12, 18, and 20, and added new dependent claim 23 to be consistent with amendments to claims 1 and 8.

The present application, at, for example, paragraph [0030] describes three options for notifying customers of the filter replacement. First, a reminder message can be sent to the customer when a filter replacement is required, after which a response from the customer is required before proceeding with the filter replacement. Second, a fulfillment location can automatically ship a replacement filter to the customer at the filter replacement date. Third, a service technician can be dispatched when a filter replacement is required. Amended independent claims 1 and 8 are directed to either the second or the third options.

Furthermore, in amended claims 1 and 8, the filter information includes not only the location of equipment but also the model number of the equipment, such that the filter information can not only relate to the street address where the equipment is located, but also to the details of the equipment on which the filters are installed, for example, Manitowoc Ice Machine, Model 1300. This provides a more finite location since a street address could have multiple filter systems, including, for example, an Espresso machine, an ice machine, a soda fountain, a steam oven, a water supply, and a dishwasher. Therefore, the user could have a different change schedule for each piece of equipment, thereby allowing them to customize their program.

Moreover, a single biggest weakness that plagues the filter business is that the majority of people will never change the filter unless it causes a breakdown of the equipment. By means of the method and system of the present invention, this drawback can be avoided because the

present invention allows the customers to customize the filter replacement procedure to guarantee the replacement of the filters when required.

Hughes fails to teach or suggest the features of amended claim 1 and 8. For example, in Hughes, the reminder of changing a filter is computed only based on time, but not the filter information recited in amended claims 1 and 8. Without considering different factors as recited in amended claims 1 and 8, the method disclosed by Hughes cannot accurately compute an appropriate replacement date. Furthermore, Hughes fails to discuss scheduling a service to change the filter as recited in amended claims 1 and 8. In Hughes, after sending a reminder letter to the customer, Hughes waits to take further action until he/she receives a response/order from the customer. Indeed, in merely sending a reminder and awaiting a customer response, Hughes fails to teach the feature of automatically scheduling a service for customers.

Accordingly, Applicant respectfully submits that amended claims 1 and 8 and their dependent claims 2, 4-9, 11-12, and 15-17 are not anticipated by Hughes under 35 U.S.C. 102(b) and should be patentable. Regarding the rejection of dependent claims 3, 10, and 18-20 under 35 U.S.C. 103(a), Applicant respectfully submits that these claims should be also patentable at least due to their dependencies from patentable independent claims.

Furthermore, regarding the rejection of claims 3, 10, 18, 19, and 20 as nonfunctional descriptive material that was alleged by the Examiner at page 10, paragraphs 36-41 in the Office Action, Applicant respectfully submits that these rejections are now moot based on amended claims 1 and 8, as amended claims 1 and 8 include functional descriptive materials such as scheduling a service to change a filter.

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Applicant has also amended claims 4 and 15 to correct matters of form.

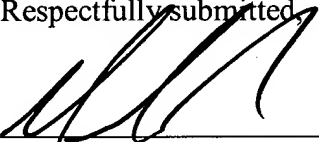
In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicant's undersigned representative at the number listed below.

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